



GOVERNMENT OF THE DISTRICT OF COLUMBIA
METROPOLITAN POLICE DEPARTMENT

SENT VIA EMAIL: 49031-19881820@reuquests.muckrock.com

August 13, 2019

Dave Maass
Muck Rock, Dept. 49031
411A Highland Ave.
Somerville, MA 02144

Re: FOIA Request 2018-FOIA-03314

Dear Mr. Maass:

This letter is in response to the above-captioned Freedom of Information Act (FOIA) request. Please note that your request is italicized and MPD's response is in bold below.

Pursuant to the District of Columbia Freedom of Information Act of 1974, D.C. Code Ann. § 2-531 et seq. ("D.C. Act"), I hereby request the following records:

- 1) The names of agencies and organizations with which the Agency shares Automated License Plate Recognition (ALPR) data;*

Response:

For clarification, "agencies and organizations with which the Agency shares Automated License Plate Recognition (ALPR) data" is defined as any agency that has direct access to the License Plate Reader system through a Memorandum of Understanding (MOU).

Presently, the below agencies are able to directly query the LPR System:

- i. NTIC/HSEMA**
- ii. US Secret Service**
- iii. US Park Police**
- iv. US Capitol Police**
- v. US Marshall Service**
- vi. Metro Transit PD**
- vii. FBI**

Additionally, MPD and NTIC/HSEMA may respond to requests for information from other agencies. To fulfill these requests, the requesting agency must fill out a "Request for Information" form which outlines the reason for the request. The request is reviewed by MPD personnel and would only be fulfilled for legitimate law enforcement investigations and purposes.

- 2) *The names of agencies and organizations from which the Agency receives ALPR data;*

Response: U.S. Secret Service Uniformed Division ALPR data is captured in MPD's LPR system. Additionally, the Command Information Center receives an email alert from the Department of Public Works when there is a "hit" on a vehicle's tag based off of the National Crime Information Center (NCIC) "hot list".

- 3) *The names of agencies and organizations with which the Agency shares "hot list" information;*

Response: The national hot files are maintained by the Federal Bureau of Investigation as part of its National Crime Information Center (NCIC). MPD's "hot list" is generated by the Teletype Section through the eAgent/WALES system.

Additionally, MPD's LPR system allows for Command Information Center (CIC) personnel to manually create additional hot lists that are only viewable in the LPR system and are not shared with those that do not have direct access to the system. Only the commanding official of the Intelligence Branch, the Director of the Joint Strategic and Tactical Analysis (JSTACC), or the CIC Watch Commander can authorize manual entries into the LPR system. This is only authorized when crimes are reported after the LPR has been deployed (e.g., lookouts for stolen vehicles before they have been entered into NCIC, AMBER alerts, radio broadcasts); or for plates that need to be entered for other authorized investigative purposes.

- 4) *The names of agencies and organizations from which the Agency receives "hot list" information;*

Response: Any agency that contributes stolen or wanted vehicle information through the FBI's National Crime Information Center (NCIC).

This information is easily available within the Agency's LEARN system. The simplest way to extract this data is to generate an "Agency Data Sharing Report" PDF file from within LEARN. To do this, a user may simply go to the "Sharing" section of LEARN and select "Output Report." A CSV/XLS file containing these records would also satisfy this request.

The instructions for extracting this data is described on pages 62-63 of the LEARN Agency Manager Guide, which may be found at this link:

<https://www.documentcloud.org/documents/3860685-LEARN-5-1-Agency-Manager-Guide.html>

An example of this record may be found at this link:

<https://www.documentcloud.org/documents/3936113-Palos-Verdes-Estates-Police-Department-Data.html>

A number of other agencies have regularly determined the above information constitutes a public record and have provided an "Agency Data Sharing Report." These agencies include:

Anaheim Police Department, Antioch Police Department, Bakersfield Police Department Chino

Police Department, Clovis Police Department, Elk Grove Police Department, Fontana Police Department, Fountain Valley Police Department, Glendora Police Department, Hawthorne Police Department, Irvine Police Department, Livermore Police Department, Lodi Police Department, Long Beach Police Department, Montebello Police Department, Orange Police Department, Palos Verdes Estates Police Department, Red Bluff Police Department, Sacramento Police Department, San Bernardino Police Department, San Diego Police Department, San Rafael Police Department, San Ramon Police Department, Simi Valley Police Department, and the Tulare Police Department.

Response: The Metropolitan Police Department does not use the LEARN system or contribute LPR information to any other external systems.

We further request the following records:

- *The aggregate number of “detections” (i.e. license plate scans and associated data) collected during 2016;*

Response: These records do not exist as they have exceeded the data retention period.

- *The aggregate number of detections collected during 2017.*

Response: These records do not exist as they have exceeded the data retention period.

- *The aggregate number of “hits” (i.e. times that a plate on a hotlist was detected) during 2016.*

Response: These records do not exist as they have exceeded the data retention period.

- *The aggregate number of “hits” during 2017.*

Response: These records do not exist as they have exceeded the data retention period.

This information is easily available within the Agency’s LEARN system. The simplest way to extract this data is to generate a “Dashboard Hit Ratio Report” PDF file from within LEARN. We would prefer the data for each year to be provided separately.

An example of this document may be found at:

<https://www.documentcloud.org/documents/3870802-Sacramento-PD-Hit-Ratio-Rpt-010112-051917-Redacted.html>

Please know that, under D.C. Official Code § 2-537 and 1 DCMR § 412, you have the right to appeal this letter to the Mayor or to the Superior Court of the District of Columbia. If you elect to appeal to the Mayor, your appeal must be in writing and contain “Freedom of Information Act Appeal” or “FOIA Appeal” in the subject line of the letter as well on the outside of the envelope. The appeal must include (1) a copy of the original request; (2) a copy of any written

denial; (3) a statement of the circumstances, reasons, and/or arguments advanced in support of disclosure; and (4) a daytime telephone number, an e-mail and/or U.S. mailing address at which you can be reached.

The appeal must be mailed to: The Mayor's Office of Legal Counsel, FOIA Appeal, 1350 Pennsylvania Avenue, N.W., Suite 407, Washington, D.C. 20004. Electronic versions of the same information can instead be e-mailed to The Mayor's Office of Legal Counsel at foia.appeals@dc.gov. Further, a copy of all appeal materials must be forwarded to the Freedom of Information Officer of the involved agency, or to the agency head of that agency, if there is no designated Freedom of Information Officer there.

Failure to follow these administrative steps will result in delay in the processing and commencement of a response to your appeal to the Mayor.

Respectfully,

Ms. Branch

Ms. Branch
FOIA Specialist
Metropolitan Police Department
300 Indiana Avenue, NW
Room 4153
Washington, DC 20001